

predetermined position to disengage ratchet fingers on the dose control mechanism from a ratchet on the drive mechanism.

REMARKS/ARGUMENTS

Claims 1 and 3 – 5 are now in this application, with Claim 1 being in independent form. Claim 2 has been cancelled and Claim 1 has been amended to include the features of cancelled Claim 2 to define still more clearly what Applicants regard as their invention.

Initially, Applicants acknowledge with appreciation the Examiner's identification of Claim 2 as allowable if rewritten in independent form including all of the limitations of Claim 1. Applicants respectfully submit that, in view of the amendment of Claim 1 to include the features of Claim 2, Claim 1 is now in condition for allowance.

Rejection of Claims 1, 4 and 5 Under 35 U.S.C. § 102

Claims 1, 4 and 5 have been rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,688,251 (Chanoch). Applicants respectfully submit that Claim 1 is now believed to be patentably distinct over Chanoch for at least the above reasons.

Rejection of Claim 3 Under 35 U.S.C. § 103

Claim 3 has again been rejected under 35 U.S.C. § 103(a) as unpatentable over Chanoch in view of U.S. Patent No. 4,858,607 (Jordan et al.).

In response, it is submitted that dependent Claim 3 is now patentable since it sets forth additional aspects of the present invention and is dependent from independent Claim 1, discussed above.


Likewise, the remaining dependent Claims 4 and 5 are also believed patentable since they set forth additional aspects of the present invention and are dependent from independent Claim 1 discussed above.

Conclusion

In view of the above, it is respectfully submitted that all rejections are overcome. Thus, a Notice of Allowance is respectfully requested.

Respectfully Submitted,

Dated: 2/9/05

By: 
Alan W. Fiedler
Attorney for Applicants
Reg. No. 33,690
(201) 847-7112

Becton, Dickinson and Company
1 Becton Drive
Franklin Lakes, New Jersey 07417-1880